IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 187 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

S.S. PATHAN

Versus

STATE OF GUJARAT

Appearance:

1. Civil Revision Application No. 187 of 1997

MR GT DAYANI for Petitioner No. 1

..... for Respondent No. 1-2

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 10/12/2002

ORAL JUDGEMENT

#. This revision application is filed under Section 12 of the Gujarat Public Works Contract Disputes Arbitration

Tribunal Act, 1992. The Tribunal while deciding Arbitration Reference No.51 of 1995 allowed the reference partly and ultimately, an award for Rs.12,731/- has been passed by the Tribunal with running interest at the rate of 12% per annum. Rest of the claim of the present petitioner is rejected by the Tribunal.

#. I have gone through the award of the Tribunal. The Tribunal has considered the evidence on record and has considered each and every item for which reference was made. The Tribunal, after giving cogent reasons and after considering the evidence on record, has partly accepted the claim of the petitioner. Considering the reasoning of the Tribunal, in my view, no interference of this Court is called for in this revision application, as, this Court cannot reappreciate the evidence on record in this revision application. Even otherwise, considering the reasoning of the Tribunal, no interference of this Court is called for. Hence, this revision application is rejected. Rule is discharged with no order as to costs.

(P.B.Majmudar,J)
(pathan)